

## REMARKS

Applicants are in receipt of the Office Action mailed March 9, 2004. Claims 1 – 52 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### Section 103(a) Rejection:

The Office Action rejected claims 1-7, 9-13, 15-24, 26-31, 33-41, 43-49 and 51-52 under 35 U.S.C. § 103(a) as being unpatentable over Hu (U.S. Patent 5,586,260). Claims 8, 14, 25, 32, 42 and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hu in view of Thompson (U.S. Patent 6,622,050). Applicants respectfully traverse these rejections in light of the following remarks.

Hu teaches a method and apparatus for authenticating a client for a server when the client and server have different security mechanisms. Specifically, an intermediary system known as an authentication gateway provides for authentication of the client using the client security mechanism, and impersonation of the client in a call to a server that the client wishes to access. (Abstract)

More specifically, Hu teaches at col. 1, lines 32 – 44 that:

The problem is most apparent in the integration of personal computers (PCs) with networks of larger computer systems. For example, if the larger systems employ Distributed Computing Environment (DCE) security protocols, it will in general be inconvenient and costly to provide each connected PC with the appropriate software necessary for authentication in accordance with DCE security. Consequently, PCs do not provide DCE security and a PC client cannot directly access DCE servers.

Stated more generally, *the problem is to provide a mechanism that would allow a server to authenticate a client that had no knowledge of the server's security protocol.* The present invention is directed to this end.

Applicant can find no language in Hu which teaches or suggests **“wherein the client-side library is implemented in accordance with a platform-independent interface specification and implemented for one or more client platforms respectively corresponding to each of the one or more client computer systems”**. In contrast, Hu teaches the use of an authentication gateway as an intermediary system between a PC client and a DCE server.

Furthermore, Applicant respectfully traverses the Examiner’s assertion that it would have been obvious to incorporate using a platform independent interface specification with Hu’s authentication in a distributed network where different objects (user or resources) across the network with different platforms can interact with each other. Hu teaches away from Applicant’s claim 1 by using an authentication gateway to bridge the gap between incompatible client/server security protocols. In contrast, Applicant’s claim 1 recites a system wherein **“the client-side library is implemented in accordance with a platform-independent interface specification,”** and **“the server-side library is implemented in accordance with the platform-independent interface specification.”**

Although platform-independent interface specifications are known in the art in other contexts, the prior art does not teach or suggest a client-side authentication library implemented in accordance with a platform-independent interface specification to retrieve and encrypt a user profile associated with a user, and a server-side authentication library implemented in accordance with the platform-independent interface specification to authenticate the user for one or more network services. To the contrary, authentication is typically viewed in the prior art as a system-level function and implemented specific to a particular operating system.

As the Federal Circuit stated in *In re Kotzab*, 55 USPQ2d 1313, 1316 (Fed. Cir. 2000): “Most if not all inventions arise from a combination of old elements. However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention.” The Examiner has not cited any prior art

reference that suggests implementing client-side and server-side authentication libraries in accordance with a platform-independent interface specification. Therefore, the rejection of claim 1 is unsupported by the teachings of the cited art and withdrawal thereof is respectfully requested. Similar arguments apply in regard to independent claims 18 and 35.

In regard to claim 10, Applicants can find no teaching or suggestion in Hu of “one or more pluggable authentication modules”. In contrast, Hu teaches a single authentication gateway operable to allow a server to authenticate a client that had no knowledge of the server's security protocol. The gateway in Hu cannot be swapped out for another module. There is clearly no description of Hu's gateway as pluggable. In fact, the presence of the same single gateway is required by Hu's teachings. Thus, Hu teaches away from pluggable authentication modules. Similar arguments apply in regard to claims 27 and 44.

Further in regard to claim 10, Hu does not teach a gateway which is coupled to one or more managers, wherein the gateway is configured to provide network management services to the one or more managers, and one or more pluggable authentication modules which are operable to provide authentication of a manager. The Examiner refers to col. 2, lines 1-19 and col. 4, line 59 – col. 5, line 19 of Hu. However, this portion of Hu only refers to Hu's authentication gateway (which the Examiner is presumably corresponding to the one or more pluggable authentication modules in claim 10). There is no description in these or any other portions of Hu of a gateway which is coupled to one or more managers, wherein the gateway is configured to provide network management services to the one or more managers. Thus, the rejection is clearly not supported by the teaching of Hu. Similar arguments apply in regard to claims 27 and 44.

Further in regard to claim 10, Applicant can find no teaching or suggestion of Hu “wherein the one or more pluggable authentication modules are accessible by the gateway and the one or more managers through a platform-independent interface, wherein the gateway is configurable to authenticate the user to receive the network

management services using the pluggable authentication modules through the platform-independent interface". Applicant respectfully disagrees with the Examiner's assertion that it would have been obvious to incorporate using a platform-independent interface with Hu's authentication system in a distributed network where different objects (user or resources) across the network with different platforms can interact with each other. Hu teaches away from Applicant's claim 10 by using an authentication gateway to bridge the gap between incompatible client/server security protocols, rather than the platform independent interface of Applicant's claim 10. The Examiner has not cited any prior art that suggests one or more pluggable authentication modules are accessible by a gateway and one or more managers through a platform-independent interface.

The rejection of numerous ones of the dependent claims is further unsupported by the cited art. However, since the rejection of the independent claims has been shown to be improper, a further discussion of the dependent claims is not necessary at this time.

Claims 8, 14, 25, 32, 42 and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hu in view of Thompson (U.S. Patent 6,622,050). Applicants note that the Examiner has not shown that the portions of Thompson relied upon in the rejection are prior art to the present application. The present application was filed April 21, 2000 which is before the March 30, 2001 filing date of Thompson. Thompson claims the benefit of provisional application 60/193,881 filed March 31, 2000. However, the provisional filing date can only be used as Thompson's 35 U.S.C. § 102(e) prior art date for the subject matter that is common to both the Thompson patent and the provisional application. Since it is common practice for a utility application to include additional subject matter beyond what was included in the provisional application, the Examiner must show that the subject matter relied upon for the rejection is present in both the Thompson patent and the provisional application. Since the Examiner has not made this showing, the rejection is improper. Applicants remind the Examiner that the burden of proof to establish a proper rejection falls upon the patent office. *In re Warner*, 154 USPQ 173, 177 (C.C.P.A. 1967), *cert. denied*, 389 U.S. 1057 (1968).

Additionally, Thompson is not entitled to its provisional filing date as a section 102(e) prior art date unless at least one claim of the Thompson patent is supported (under 35 U.S.C. § 112) in the provisional application. Since the Examiner has not made this showing, the rejection is further improper.

## CONCLUSION

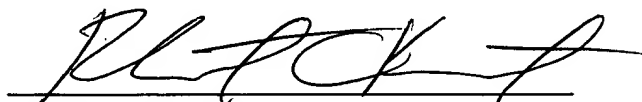
Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-48700/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$  
for fees (      ).
- ☐ Other:

Respectfully submitted,



Robert C. Kowert  
Reg. No. 39,255  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

Date: April 28, 2004